

FIRE-RESCUE COMMISSION CHARTER

Statement of Policy:

It is the intent of the Loudoun County Board of Supervisors to provide for adequate public safety, health and welfare through a fire, rescue and emergency medical services program that is highly competent, efficiently delivered, equitably administered, and which utilizes both volunteer and career personnel. The Board of Supervisors believes that ultimate responsibility for public safety through fire, rescue, and emergency services rests with the County Government. The Board of Supervisors further believes that this program should reflect: maximum cost-effective performance of these services; recognition and promotion of the general, County-wide public interest; adequate accountability for service levels and resource use in a manner required of other public programs; fair representation and communication of all views regarding these services; and adequate response to projected growth in the County as its public safety requirements. To achieve these objectives a combined system of private and public resources is essential, including, but not limited to:

Delivery of fire, rescue and emergency medical services through volunteer corporations for as long as such corporations are willing and able to provide these services and as recommended by the Commission, through the Department when local corporations are unwilling or unable to provide these services or as otherwise provided by law;

Provision of the policy and regulatory framework for the independent fire departments and rescue squads by a Fire and Rescue Commission, deriving its authority from and acting on behalf of the Volunteer Companies in cooperation with the Department of Fire-Rescue Services and County Government;

Provision of support services by the Department of Fire and Rescue Services of the County Government.

The Board of Supervisors supports the delivery of fire, rescue and emergency services through independent volunteer fire and rescue corporations.

Such decentralized service delivery must be done within a County-wide context and must be characterized by unity in emergency responses and uniformity in the application of all regulations. The Board of Supervisors recognizes and respects the contributions of volunteers over many decades which have resulted not only in the protection of life and property in Loudoun County but also vital and generous private support for an essential public service and fellowship. The County will vigorously support the continuation and expansion of volunteer participation as a means of providing fire, rescue and emergency medical services in the most cost-effective way and encourages, and not in any way discourages qualified volunteer participation.

Statement of Policy

Purpose:

It is the purpose of this document to promote the achievement of the following goals with respect to the provision of fire, rescue and emergency medical services:

Attachment II

II-1

Maximum protection of life and property. Provision of maximum cost-effective, equitable, and responsive services to all citizens of Loudoun County, including adequate response times, effective fire and rescue incident supervision, adequate manning, effective distribution of personnel and apparatus and timely adaptation to changing service needs. All organizations and participants comprising the fire, rescue and emergency medical services will share the responsibilities for improving their effectiveness and efficiency every year.

Maximum Volunteer Participation. Continued retention and recruitment of volunteers in fire, rescue and emergency medical services operations and in policy-decisions.

Optimum Personnel Practices. Promotion of equity and harmony among both volunteer and career members; continual improvement in the capabilities of all members; effective personnel administration and job performance and personal conduct of the highest caliber by volunteer and career members.

Adequate Accountability. Adequate accountability to the citizens for service delivery, management practices, and the use of local funds.

Improved Operations and Administration. Minimizing of costs, including administrative overhead, apparatus, and other expenses; and effective management of personnel, purchasing, maintenance, training and other programs.

Definitions:

- Commission.* The Loudoun County Fire and Rescue Commission.
- County.* The Loudoun County Government
- Department.* The Department of Fire and Rescue Services
- Local Funds.* Any County Government revenues dedicated to Fire, Rescue and Emergency Medical Services.
- Volunteer.* An individual who, without salary, performs fire, rescue, emergency medical, or other related services.
- Corporation.* Independent, non-profit corporation officially recognized by the Loudoun County Board of Supervisors, providing fire, rescue or emergency medical services in accordance with the laws of the Commonwealth of Virginia and the County of Loudoun.
- EMS Council.* Loudoun County Emergency Medical Services Advisory Council, Inc.
- Fire Council.* Loudoun County Fire Advisory Council, Inc.

Fire and Rescue Commission.

Organization.

Established Membership. The Commission shall consist of eight (8) voting Commissioners and (4) non-voting members, all of whom are entitled to participate in all official meetings of the Commission and all discussions either formal or informal that might be held by the Commission. Four of the Commissioners shall be elected by the Emergency Medical Services Advisory Council, Inc. (EMS Council) from their membership and four shall be elected by the Fire Advisory Council (Fire Council) from their membership. Commissioners shall be representatives from Volunteer Fire and/or Rescue Corporations to their respective Councils. Each Council shall elect only one Commissioner from each of its four operational battalions. There shall be no more than one Commissioner from any Volunteer Corporation. All such elected members of the Commission shall active members of their respective organization and shall be confirmed within thirty (30) days of the selection by the Loudoun Board of Supervisors.

Commissioners' terms of office shall start on July 1 of alternate years and shall continue for two years. Two Fire and two Rescue Commissioner terms shall start in even-numbered years, and the remaining four Commissioner terms shall start in off-numbered years.

The four non-voting members shall be the Director of Fire and Rescue Services, the Medical Director for Operations, the Chairman of the EMS Council and the Chairman of the Fire Council.

Chairperson. The Commission shall elect annually from among its members a chairperson, a vice-chairperson and such other officers as provided for in its By-Laws.

Compensation. There shall be no regular compensation for Commission members. Unforeseen and extremely burdensome expenses may be reimbursed by the County.

Duties, Responsibilities and Authority. The Commission is hereby authorized to develop effective, efficient and equitable fire, rescue and emergency medical services County-wide and to provide the policy and regulatory framework for all fire, rescue and emergency medical service operations; to establish communications and dispatch procedures for fire, rescue and emergency medical services; to maintain the Master Service Plan as addressed later in this document; and to advise the County Administrator and the Loudoun County Board of Supervisors on any matter relating to fire, rescue and emergency medical services.

By-Laws. The Commission shall adopt By-Laws detailing the Commission's operating rules and regulations and establish a method for amending the By-Laws.

Committees. The Commission may appoint any committees needed to assist in carrying out its duties and responsibilities. Membership on these committees may include other Commissions, Fire or Rescue Council members, other volunteer or career personnel or members of the general public. The Commission may assign issues or problems to the respective councils for analysis and recommendations.

Meetings with County Administrator. The County Administrator may meet periodically with the Commission to discuss matters, which come under the Commission's jurisdiction.

Meetings with County Officials. The Commission and the Board of Supervisors shall meet periodically to discuss matters, which come under the Commission's jurisdiction. In addition, the Commission may request a meeting with the County Administrator as necessary.

Report. All matters brought before the Commission where majority action has been taken (approval/disapproval) shall be reduced to writing and signed by two Commission officers within fifteen (15) days and an informational document sent to the Board of Supervisors through the County Administrator.

Enforcement. The Commission is hereby authorized to enforce its policies and regulations.

In order for the Commission to carry out its duties and to ensure equitable and effective compliance with its policies and regulations, corporations and County Departments shall furnish whatever information may be reasonably requested by the Commission concerning operations, administration, volunteer participation, and other aspects of fire, rescue or emergency medical services.

The County Attorney, upon request of the Commission and approval of the County (consistent with State law), may take legal action to assist the Commission in enforcing its policies and regulations.

The Board of Supervisors may impound all local funds designated for a particular corporation upon a finding by the Commission that the corporation has failed to comply with policies or other matters adopted by the Commission. The Commission with the Department shall be responsible for the administration of the non-complying corporation's fire and rescue service responsibilities and the impounded fund shall be available for that purpose. The Commission shall provide the County Board of Supervisors and County Administrator with an immediate report about the corporation's noncompliance and a status report thirty (30) days thereafter. The Commission may revoke, extend or otherwise modify the impoundment of funds in accordance with the finding of the commission with respect to the corporation's compliance or continued noncompliance. Nothing in this provision shall be construed to allow the County or any other body to assume operational or administrative control of a corporation's personnel, apparatus, equipment, facilities or property except as may be provided for by the laws of the Commonwealth of Virginia.

Automatic Termination. Any Commissioner who is absent for two consecutive scheduled meetings of the commission without justification that is acceptable by the Commission during any six-month period shall be deemed to have resigned from his or her position on the Commission. Scheduled meetings for this purpose shall mean meetings for which at least seven days advance notice was given, or is a regular scheduled meeting. Such resignation shall become effective ten days after notification is forwarded to the County Board of Supervisors and the appropriate Council of any member who has so resigned.

Statement of Policy

Independent Fire and Rescue Corporations. The independent volunteer corporations recognized by the Board of Supervisors are hereby authorized to provide fire, rescue and emergency medical services as provided for by this document, by applicable law and by the county-wide policies and regulations established by the Commission. Specifically, the public safety functions of the corporations shall include the following as appropriate:

- Fire suppression and related activities;
- Fire prevention activities, under operational guidelines adopted by the Commission and the Department;
- Rescue, Emergency Medical Services and related activities.

Each corporation shall provide annually to the Commission a current listing of all operational and administrative officers and of its board of directors. The Commission shall be advised in writing of changes to any of the operational and administrative officer positions within thirty (30) days of such change.

Fire-Rescue Councils:

Fire Council. The Fire Council shall consist of elected or appointed delegates from all independent Fire or combined Fire-Rescue Corporations.

The number of delegates per agency elected or appointed to the Fire Council shall not exceed two (2) members with provision for alternate delegates.

The Fire Council shall retain the right to include in its membership other members of the community involved in fire suppression or prevention activities, but such members shall not be eligible to serve on the Fire and Rescue Commission.

EMS Council. The EMS Council shall consist of elected or appointed delegates from all independent Rescue and Emergency Medical Services or combined Fire-Rescue corporations.

The number of delegates per corporation elected or appointed to the EMS Council shall not exceed two (2) members with provision for alternate delegates.

The EMS Council shall retain the right to include in its membership other members of the community involved in fire suppression or prevention activities, but such members shall not be eligible to serve on the Fire and Rescue Commission.

Duties, Responsibilities and Authority. The Councils shall have the following duties, responsibilities and authority:

- Adopt by-laws detailing its operating rules and regulations and establishing a method for amending its by-laws;
- Elect four members from each Council to the Commission;

- Actively support, on a continuing basis in coordination with the Commission, the maintenance and enhancement of volunteer participation in fire, rescue and emergency medical services;
- Advise the Commission on any matters relating to the in fire, rescue and emergency medical services;
- Establish any committees needed to carry out its duties and responsibilities. Membership on these committees may include council members, other volunteers, career personnel or civilians;
- Within sixty (60) days of receipt from the Commission, review and comment upon any proposal made to the Commission to adopt policies, rules, regulations, requirements or standards pertaining to the fire, rescue and emergency medical services;
- Perform such other tasks as are requested by the Commission.

Staff Support. The Department shall provide budget and staff support for the Councils and shall act for the councils in those matters expressly provided for by the Councils' By-Laws.

Conduct of Commission Business

Matters may be brought before the Commission at any regular meeting by either Council, the Director, the Medical Director, citizens, independent corporations or Commission members.

Such matters (except where it is determined to be of an emergency nature) shall be placed on the agenda as an information item only at any regular meeting, following which it shall be placed on the agenda of the next regular scheduled meeting as an action item.

On all matters presented for consideration, any person or corporation shall have the opportunity to present verbally before the Commission their position of the matter.

The Commission shall act on all matters presented within a maximum of sixty (60) days, except where issues are assigned to the appropriate council or special sub-committee for review and recommendations.

Voting Procedures/Tie Votes. A quorum shall consist of six (6) voting members, with five (5) votes necessary for approval of any item. A tie vote constitutes no action.

Each member of the Commission shall be entitled to one vote including the Chairperson and Vice-Chairperson, but excluding the Director, the Medical Director and the two Council Chairs.

Special Meetings. Special meetings may be called by the Chairperson with no less than seven (7) business days notice. Such special meetings must receive verbal approval of one-half (1/2) of the Commission members and cannot take place unless all of the Commission members have been contacted and advised of such meeting seven (7) business days prior to the meeting. Each Commission member must be notified by the Chairperson or someone designated by the Chairperson of all special meetings.

Appeals. All recommendations, proposals, and/or procedures that have been recommended by either Council and approved by the Commission shall be subject to appeal to the full Commission provided such appeal is received in writing within ten (10) days of such approval, outlining objections and alternatives. In addition, the appealing person or corporation may verbally present their position at the next regular scheduled meeting of the Commission.

All subsequent decisions or revisions approved by the Commission shall be final.

Support for Commission. The Department shall provide assistance to the Fire and Rescue Commission in the Commission's responsibilities, and shall act for the Commission in those matters expressly provided for by the by-laws of the Commission.

Assumption of Command. At the request of the Fire and Rescue Commission the director may assume operational and administrative command of a corporation when the Commission feels a need for such assumption of command and provided such assumption of command is authorized by the governing body in accordance with applicable State Law.

Operations:

Incident Command System. The Commission shall review periodically, maintain and revise as necessary, by majority vote of its members, an Incident Command Structure (ICS) document which shall be applicable to all agencies and to all fire, rescue and emergency medical services personnel, both volunteer and career for those incidents defined as emergencies in the ICS document.

Response Areas. The Commission shall at least annually review response areas for corporations and amend the response plan as necessary.

Communications Procedures and Dispatch Times. The Commission shall establish comprehensive and consistent communications and dispatch procedures for all corporations after consulting with the Fire/EMS Councils and the Director. The Commission shall also establish appropriate allowable dispatch times for all emergencies. All procedures and dispatch times established shall balance:

- The need for fast response
- Capabilities with the emergency operations center
- The need to maintain active volunteer participation
- The characteristics of different response areas

These procedures and dispatch times shall be reviewed at least annually.

Fiscal Matters:

Budget Presentation. Each corporation supported in whole or in part which local funds shall prepare its annual budget requirements with appropriate justification in a manner prescribed by the Commission. All budgets shall be submitted to the Commission at the time required.

The Commission shall prepare a separate budget for its own proposed expenditures.

The Commission shall make available all budgets, together with a summary and analysis of County-wide implications and relationships to applicable fire-rescue service master plans, to the Board of Supervisors via the Director for review or recommendations. Transmittal of the budget shall be in accordance with the schedule established by the County Administrator.

The County Board of Supervisors shall appropriate funds for fire, rescue and emergency medical services for the ensuing fiscal year in the manner prescribed by the law. No local funds shall be encumbered or expended in excess of appropriations. All appropriations are conditional upon the local corporations being subject to and complying with all provisions established and adopted by the Commission.

All fire, rescue and emergency medical services apparatus, equipment or facilities purchased in whole with local funds will be titled to, insured and maintained by the County.

All apparatus, equipment and facilities purchased totally with corporation funds will be titled to, insured by and maintained by the corporation.

All apparatus, equipment and facilities purchased partially with corporation funds and partially with local funds which exceeds the companies normal yearly appropriation from the County, will be titled jointly with the corporation and the County. Insurance and maintenance will be the joint responsibility of the corporation and the County unless other arrangements are mutually agreed upon and approved by the Commission.

The sale or other disposition of any apparatus or facilities purchased in whole or in part with local funds must be approved by the Commission and the Director to ensure that said sale or other disposition does not adversely affect the public interest. The proceeds of any such disposition attributable to local funds must be used by the County of Loudoun for the benefit of the corporation.

The County hereby acknowledges that it has no claim to any equipment, apparatus, facilities or property acquired solely without use of local funds. Nothing in this document shall be construed to authorize the County to require the transfer of ownership of said equipment, apparatus, facilities or property to the County.

The County may accept title and all encumbrances to any fire, rescue and emergency medical service apparatus, equipment, facility or property from any corporation wishing to no longer hold said title even if there is an existing debt. Such title transfer must be approved by the Board of Supervisors after receiving the recommendation of the Commission, and providing such transfer is in accordance with individual corporate charters. The Commission, in consultation with the Director and appropriate Chief's

Committees shall develop procedures to provide for the orderly disposition/or transfer of assets of any corporation which may in the future be unable or unwilling to provide fire, rescue or emergency medical services.

For purposes of operation, the commission shall assign stations established in the future to existing or new corporation or, with the concurrence of the county Board of Supervisors. Nothing in this paragraph shall be construed to preclude the County from operating a fire or rescue station as may be otherwise provided by law and approved by the Commission.

Master Fire, Rescue and Emergency Medical Services Plan.

The Commission shall adopt upon the affirmative vote of its members, a Master Fire, Rescue and Emergency Medical Service Plan for submission to the County Board of Supervisors. This Master Plan shall include, but not be limited to the following:

- A survey of the resources and personnel of existing fire, rescue and emergency medical services and analysis of the effectiveness of the fire and building codes;
- An analysis of short and long-term fire prevention, control and emergency medical services needs;
- A plan to meet the fire prevention and control and emergency medical services needs;
- An estimate of cost and realistic plans for financing the implementation and operation of the plan on continuing basis and summary of problems anticipated in implementing the plan;
- A definition of the current and future fire protection and emergency medical environment by establishing and maintaining a comprehensive data base; a definition of goals and objectives for service levels;
- Identification and justification of the resources necessary to develop and operate the fire protection and emergency medical system as recommended by the plan; and
- A detailed program of action to implement and maintain the system as recommended by the plan.

The Master Plan, developed jointly by the Commission and the Director, and approved by the Board of Supervisors shall be reviewed annually by the Commission and the Director, with proposed revisions submitted to the Board of Supervisors as appropriate.

The Commission shall adopt after review, a Master Plan for apparatus and associated equipment, facilities and property, as recommended by the Department, replacement on upgrading this Master Plan shall include acquisition, replacement, and procedures for short and long-term use on a County-wide basis. This Master Plan shall become a part of the Master Fire, Rescue and Emergency Services Plan.

Training Requirements and Certification Standards. The Commission shall adopt uniform certification standards and procedures and uniform minimum training requirements to be met by all active fire, rescue and emergency medical services personnel. These standards and training requirements shall be applied similarly to volunteer and career personnel engaging in similar duties.

Standards and requirements adopted shall apply immediately to all new fire, rescue and emergency medical services personnel of the local corporations, both volunteer and career. Application of these standards and requirements to existing personnel, both volunteer and career, shall be subject to such time schedules as are promulgated under administrative regulations proposed by the Commission.